

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

STERLING SUFFOLK RACECOURSE, LLC,

Plaintiff,

v.

WYNN RESORTS, LTD; WYNN MA, LLC;
STEPHEN WYNN; KIMMARIE SINATRA;
MATTHEW MADDOX; PAUL LOHNES; and
FBT EVERETT REALTY, LLC;

Defendants.

CIVIL ACTION

Case No. 1:18-cv-11963-PBS

ORAL ARGUMENT REQUESTED

**WYNN RESORTS, LTD, WYNN MA, LLC AND MATTHEW MADDOX'S
SPECIAL MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

Pursuant to the Massachusetts anti-SLAPP statute, G.L. c. 231 § 59H, defendants Wynn Resorts, LTD, Wynn MA, LLC and Matthew Maddox move to dismiss the three state-law claims alleged by plaintiff Sterling Suffolk Racecourse, LLC in its First Amended Complaint because they all arise from protected petitioning activity. Defendants also respectfully request an award of costs and reasonable attorneys' fees as mandated by G.L. c. 231 § 59H.

In support of this Special Motion to Dismiss, defendants rely on the accompanying Memorandum of Law and its exhibit.

REQUEST FOR ORAL ARGUMENT

Defendants respectfully request oral argument to assist this Court in deciding this Special Motion to Dismiss.

Respectfully submitted,

**WYNN RESORTS, LTD, WYNN MA,
LLC, and MATTHEW MADDOX**

By their counsel,

/s/ Peter A. Biagetti

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March 8, 2018

LOCAL RULE 7.1(A)(2) CERTIFICATION

I certify that counsel for Defendants has conferred with counsel for Plaintiff in a good faith attempt to resolve or narrow the issues raised by this motion.

/s/ Peter A. Biagetti

Peter A. Biagetti

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing on March 8, 2018.

/s/ Peter A. Biagetti

Peter A. Biagetti